S.B. CIVIL WRIT PETITION NO.4578/98
Goverdhan Lal Vs. The State of Raj. & Ors.

Date of order : 25/7/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

None present for the petitioner.
Shri B.N. Sandu, Dy. Government Advocate for the State

This case was listed on 23.7.2007 in the hearing list at S.No.27. The case was called in two rounds, but counsel of neither of the parties was present. Again when the matter was called twice on 24.7.2007, none appeared from either of the sides. Today also when the case was called in the first and second round, no one was present except Shri B.N. Sandu, the learned Deputy Government Advocate.

On the facts stated in the memorandum of petition, the petitioner has raised a grievance that the respondent Municipal

Corporation and Jaipur Development Authority have not passed necessary orders for regularisation of the plot no.26-A, Jhakoreshwar Marg, Bani Park, Jaipur, therefore, they should be directed to issue necessary allotment cum licence order in favour of the petitioner.

Whether or not the petitioner is entitled to regularisation and consequential allotment of the aforesaid plot no.26-A, Jhakoreshwar Marg, Bani Park, Jaipur, would depend on the title documents. This is a matter where it would be appropriate that the respondent authorities themselves take a decision at their end and pass necessary orders. So far as the Jaipur Development Authority is concerned, in its reply which is

available on record, it has come out with the plea that Bani Park area in which the aforesaid plot no.26A is situated, being a developed area, has been transferred to the charge and care of the Municipal Corporation, Jaipur vide order dated 22th July, 1999.

This writ petition is, therefore, disposed of with the direction that the petitioner would be at liberty to make a representation to the Municipal Corporation, Jaipur which shall proceed to consider and decide the aforesaid representation within three months from the date of its receipt. In case it is decided not to regularise the plot and not to issue the allotment letter in favour of the petitioner, the Municipal Corporation shall pass reasoned order in

that behalf. In the event any order is passed adverse to the interest of the petitioner, the petitioner would be free to take appropriate remedy in accordance with law.

(Mohammad Rafiq),J.

RS/